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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

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LOK SABHA

The following Bills were introduced in Lok Sabha on the 6th February, 1976:—

BILL No. 37 OF 1976

A Bill further to amend the High Court Judges (Conditions of Service) Act, 1954.

BE it enacted by Parliament in the Twenty-seventh Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the High Court Judges (Conditions of Service) Amendment Act, 1976.

(*2*) It shall be deemed to have come into force on the 1st day of October, 1974.

28 of 1954.

Amendment of section 15.

2. In the High Court Judges (Conditions of Service) Act, 1954 (hereinafter referred to as the principal Act), section 15 shall be renumbered as sub-section (*1*) thereof and after sub-section (*1*) as so renumbered, the following sub-section shall be inserted, namely:—

"(*2*) Notwithstanding anything contained in sub-section (*1*), any Judge to whom that sub-section applies and who is in service on or after the 1st day of October, 1974, may, if he has elected under the proviso to that sub-section to receive the pension payable to him under Part II or, as the case may be, Part III of the First Schedule before the date on which the High Court Judges (Conditions of Service) Amendment Act, 1976, receives the assent of the President,

cancel such election and elect afresh to receive the pension payable to him under Part I of the First Schedule and any such Judge who dies before the date of such assent shall be deemed to have elected afresh to be governed by the provisions of the said Part I if the provisions of that Part are more favourable in his case.".

Amendment of section 17A.

3. Section 17A of the principal Act shall be renumbered as sub-section (*1*) thereof and after sub-section (*1*) as so renumbered, the following sub-sections shall be inserted, namely:—

'(*2*) The rules, notifications and orders for the time being in force with respect to the grant of family pension in relation to an officer of the Central Civil Services, Class I, shall apply to the grant of family pension in relation to a Judge who, being in service on or after the 1st day of October, 1974, dies, whether before or after retirement, in circumstances to which section 17 does not apply.

(*3*) The rules, notifications and orders for the time being in force with respect to the grant of death-cum-retirement gratuity benefit to or in relation to an officer of the Central Civil Services, Class I (including the provisions relating to deductions from pension for the purpose) shall apply to or in relation to the grant of death-cum-retirement gratuity benefit to or in relation to a Judge who, being in service on or after the 1st day of October, 1974, dies in circumstances to which section 17 does not apply, subject to the modifications that—

(*i*) the minimum qualifying service for the purpose of entitlement to the gratuity shall be two years and six months;

(*ii*) the amount of gratuity shall be calculated on the basis of twenty days' salary for each completed year of service as a Judge; and

(*iii*) the maximum amount of gratuity payable shall be thirty thousand rupees.

Explanation.—In sub-sections (*2*) and (*3*), the expression "Judge" has the same meaning as in section 14.'.

Insertion of new sections 22A, 22B and 22C.

4. After section 22 of the principal Act, the following sections shall be inserted, namely:—

Facility of rent-free houses.

"22A. (*1*) Every Judge shall be entitled without payment of rent to the use of an official residence in accordance with such rules as may, from time to time, be made in this behalf.

(*2*) Where a Judge does not avail himself of the use of an official residence, he may be paid every month an allowance of an amount equal to twelve and a half per cent. of his salary.

Conveyance allowance.

22B. Every Judge shall be entitled to a conveyance allowance of three hundred rupees per month subject to the maintenance of a motor car by him.

22C. The Chief Justice of every High Court shall be entitled to a sumptuary allowance of three hundred rupees per mensem.".

Sumptuary allowance.

5. After section 23C of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 23D.

"23D. (1) Every retired Judge shall, with effect from the date on which the High Court Judges (Conditions of Service) Amendment Act, 1976 receives the assent of the President, be entitled, for himself and his family, to the same facilities as respects medical treatment and on the same conditions as a retired officer of the Central Civil Services, Class I, and his family, are entitled under any rules and orders of the Central Government for the time being in force.

Medical facilities for retired Judges.

(2) Notwithstanding anything in sub-section (1) but subject to such conditions and restrictions as the Central Government may impose, a retired Judge of the High Court for a State may avail, for himself and his family, any facilities for medical treatment which the Government of that State may extend to him.".

6. In section 24 of the principal Act,—

Amendment of section 24.

(a) in sub-section (2), after clause (c), the following clause shall be inserted, namely:—

"(ca) use of official residence by a Judge under sub-section (1) of section 22A;";

(b) for sub-section (3), the following sub-section shall be substituted, namely:—

"(3) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".

7. In the First Schedule to the principal Act,—

Amendment of the First Schedule.

(1) in Part I, after paragraph 9, the following paragraph shall be inserted, namely:—

'10. In the case of a Judge to whom this Part applies and who has retired on or after the 1st day of October, 1974, the foregoing provisions of this Part shall have effect subject to the modifications that—

(i) for paragraph 2, the following paragraph shall be substituted, namely:—

"2. Subject to the other provisions of this Part, the pension payable to a Judge to whom this Part applies

and who has completed not less than seven years of service shall be—

(*a*) for service as Chief Justice in any High Court, Rs. 2,400 per annum; and

(*b*) for service as any other Judge in any High Court, Rs. 1,600 per annum:

Provided that the pension shall in no case exceed Rs. 28,000 per annum in the case of a Chief Justice and Rs. 22,400 per annum in the case of any other Judge.";

(*ii*) paragraphs 3 to 5 shall be omitted;

(*iii*) in paragraph 6, for the word and figure "paragraph 5", the word and figure "paragraph 2" shall be substituted;

(*iv*) for paragraph 8, the following paragraph shall be substituted, namely:—

"8. Notwithstanding anything contained in the foregoing provisions of this Part, the pension payable to a Judge who has completed fourteen years of service for pension, including not less than six years of service as Chief Justice of one or more of the High Courts, shall be Rs. 28,000 per annum.";

(*v*) in paragraph 9, for the figures "6,000", the figures "8,400" shall be substituted.';

(2) in Part II, after paragraph 3, the following paragraph shall be inserted, namely:—

'4. In the case of a Judge to whom this Part applies and who has retired on or after the 1st day of October, 1974, paragraph 3 shall have effect subject to the modifications that—

for the figures "1,333", "1,600", "1,866", "2,133", "2,400" and "2,666", the figures "1,866", "2,240", "2,612", "2,986", "3,360" and "3,733" shall respectively be substituted.';

(3) in Part III, after paragraph 2, the following paragraph shall be inserted, namely:—

'3. In the case of a Judge to whom this Part applies and who has retired on or after the 1st day of October, 1974, clause (*b*) of paragraph 2 shall have effect subject to the modifications that—

for the figures "500" and "2,500", the figures "700" and "3,500" shall respectively be substituted.',

STATEMENT OF OBJECTS AND REASONS

Since the passing of the High Court Judges (Conditions of Service) Act, 1954, there has been no material modification of the conditions of service of the High Court Judges. There is now a widespread feeling that in the present-day context, the conditions of service are not attractive enough, especially with reference to the Members of the Bar. There has also been a persistent demand for improvement of the salary and other conditions of service of Judges. Having considered all aspects of the matter, it is proposed to allow the Judges of the High Courts certain ancillary benefits with effect from 1st October, 1974.

2. At present there is no provision for grant of family pension and death-*cum*-retirement gratuity in the case of Judges who are governed by Part I of the First Schedule to the Act. It is proposed to extend the facility of family pension on the same lines as is applicable to Class I officers of the Central Government. It is also proposed to give them the facility of death-*cum*-retirement gratuity admissible to Class I officers of the Central Government subject to the modifications that the minimum qualifying service for the purpose of entitlement shall be two years and six months and that the gratuity will be calculated at the rate of twenty days' salary for each completed year of service as a Judge.

3. It is further proposed to give to the Judges of the High Courts the facility of rent-free accommodation. Where a Judge does not avail of the official residence, he will be paid an allowance at the rate of twelve and a half per cent. of his salary. A conveyance allowance at the rate of Rs. 300 per mensem to every Judge is also proposed to be given. In addition, the Chief Justice of a High Court is also proposed to be given a sumptuary allowance of Rs. 300 per mensem.

4. While the maximum pension of Government servants on retirement has been increased on the recommendation of the Third Pay Commission, there has been no increase in the pension of Judges since the commencement of the Constitution. It is proposed to increase the pension of the Judges by about 40 per cent. and fix the maximum as Rs. 26,000 per annum in the case of the Chief Justice and Rs. 22,400 per annum in the case of other Judges. The maximum will be reached on completion of 14 years of service. The minimum pension is also proposed to be increased by 40 per cent. from Rs. 6,000 per annum to Rs. 8,400 per annum.

5. It is further considered necessary to give post-retirement medical facilities to the same extent as are admissible to retired Central Government servants of Class I and to enable the retired Judges to avail of such medical facilities as the State Government may decide to extend to them.

6. The Bill seeks to amend the High Court Judges (Conditions of Service) Act, 1954, to achieve the above purposes.

NEW DELHI;
The 4th February, 1976.

H. R. GOKHALE

FINANCIAL MEMORANDUM

Clause 3 of the Bill makes provision for the grant of family pension and death-cum-retirement gratuity to Judges governed by Part I of the First Schedule to the High Court Judges (Conditions of Service) Act, 1954 on the same lines as admissible to Class I officers of the Central Government subject to an option to be exercised. In the case of Central Government officers who die in harness, the maximum family pension now admissible is Rs. 500 per month for a period of 7 years from the date or up to the date on which the Government servant would have attained the age of 65 years had he survived whichever period is less and thereafter Rs. 250 per month. Similarly, it is proposed to grant them death-cum-retirement gratuity benefit on the same basis as is admissible to Central Civil Service, Class I officers subject to the modifications contained in this clause.

2. The expenditure on the above account in respect of Judges of the High Courts except the Delhi High Court will be first charged on the Consolidated Fund of India and subsequently recovered from the States. As regards Delhi High Court, the expenditure will be a charge on the Consolidated Fund of India. In the case of Judges of this Court to whom family pension would be payable, it is to be paid whether they die while in service or after retirement. In the very nature of things it is not possible to work out the precise expenditure on this account. Assuming that all the Judges coming under this category opt for family pension, it is roughly estimated that the expenditure on an average may work out ultimately to about Rs. 40,000 per annum. So far as the expenditure on gratuity is concerned, since this is paid in lieu of deduction of pension equivalent to gratuity, no additional expenditure is involved.

3. Clause 4 of the Bill seeks to provide rent-free official residence, conveyance allowance, sumptuary allowance to the Chief Justices and medical facilities to the retired Judges. The expenditure on rent-free official residence will be charged on the Consolidated Fund of the States except in the case of Delhi High Court. Assuming that the expenditure on this account will be at the rate of 12½ per cent. of the salary of a Judge, in the case of 21 Judges of Delhi High Court the annual recurring expenditure will be Rs. 1,11,000. Having regard to the retrospective operation of the Legislation from 1st October, 1974, the expenditure on this account during the financial years 1974-75 and 1975-76 will be Rs. 1,66,500. The conveyance allowance at the rate of Rs. 300 per month to a Judge is also a charge on the Consolidated Fund of the States except in the case of Delhi High Court. In the case of Delhi High Court the recurring expenditure on account of conveyance allowance works out to Rs. 75,600 per annum. As the allowance is payable from 1st October, 1974, the expenditure on this account during the financial years 1974-75 and 1975-76 would be Rs. 1,13,400. The expenditure on the sumptuary allowance to the Chief Justice at the rate of Rs. 300 per month will be Rs. 3,600 per annum.

4. In the case of expenditure for medical facilities it is not possible to precisely estimate the expenditure involved. On an average on each family Rs. 200 per year are spent against a contribution at the rate of Rs. 144 per annum in the CGHS which means that a net expenditure of Rs. 56 per annum is incurred on each family. The expenditure on this account may be of the order of Rs. 5,000 a year.

5. Clause 7 of the Bill makes provision for enhanced pension. The expenditure on pension is initially incurred from the Consolidated Fund of the Union but in respect of all High Courts except Delhi High Court, the expenditure on pensions is debited to the Consolidated Funds of the States. In respect of Delhi High Court assuming that about 30 retired Judges at a particular time will be ultimately availing of this enhanced pension, the ultimate increased liability may be of the order of about Rs. 1,20,000 per year. At present, however, there is only one Judge who is retiring after 1-10-1974 and the increased liability in regard to this person is of the order of about Rs. 4,000.

6. There will be no other recurring or non-recurring expenditure on account of proposals contained in the Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Under new section 22A proposed to be inserted by clause 4, the Judges will be allowed the use of rent-free houses subject to rules made by the Central Government. Clause 6 of the Bill seeks to amend section 24 of the principal Act relating to rule making powers of the Central Government to provide for the making of rules as to the use of such residences. The rules will set out the conditions and other matters of detail.

The Act already provides for the laying of the rules before both Houses of Parliament. The delegation of the legislative power is of a normal character.

BILL NO. 36 OF 1976

A Bill further to amend the Supreme Court Judges (Conditions of Service) Act, 1958.

BE it enacted by Parliament in the Twenty-seventh Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Supreme Court Judges (Conditions of Service) Amendment Act, 1976.

(*2*) It shall be deemed to have come into force on the 1st day of October, 1974.

41 of 1958.

Amendment of section 14.

2. In the Supreme Court Judges (Conditions of Service) Act, 1958 (hereinafter referred to as the principal Act), section 14 shall be renumbered as sub-section (*1*) thereof and after sub-section (*1*) as so renumbered, the following sub-section shall be inserted, namely:—

"(*2*) Notwithstanding anything contained in sub-section (*1*), any Judge to whom that sub-section applies and who is in service on or after the 1st day of October, 1974, may, if he has elected under the proviso to that sub-section to receive the pension payable to him under Part II or, as the case may be, Part III of the Schedule before the date on which the Supreme Court Judges (Conditions of

Service) Amendment Act, 1976, receives the assent of the President, cancel such election and elect afresh to receive the pension payable to him under Part I of the Schedule and any such Judge who dies before the date of such assent, shall be deemed to have elected afresh to be governed by the provisions of the said Part I if the provisions of that Part are more favourable in his case.".

Insertion of new section 16A.

3. After section 16 of the principal Act, the following sections shall be inserted, namely:—

Family pension and gratuity.

'16A. (1) The rules, notifications and orders for the time being in force with respect to the grant of family pension in relation to an officer of the Central Civil Services, Class I, shall apply to the grant of family pension in relation to a Judge who, being in service on or after the 1st day of October, 1974, dies, whether before or after retirement, in circumstances to which section 16 does not apply.

(2) The rules, notifications and orders for the time being in force with respect to the grant of death-cum-retirement gratuity benefit to or in relation to an officer of the Central Civil Services, Class I (including the provisions relating to deductions from pension for the purpose) shall apply to or in relation to the grant of death-cum-retirement gratuity benefit to or in relation to a Judge who, being in service on or after the 1st day of October, 1974, dies in circumstances to which section 16 does not apply, subject to the modifications that—

(i) the minimum qualifying service for the purpose of entitlement to the gratuity shall be two years and six months;

(ii) the amount of gratuity shall be calculated on the basis of twenty days' salary for each completed year of service as a Judge; and

(iii) the maximum amount of gratuity payable shall be thirty thousand rupees.

Explanation.—**In this section, the expression "Judge" has the same meaning as in section 13.'.**

Insertion of new sections 23A, 23B and 23C.

4. After section 23 of the principal Act, the following sections shall be inserted, namely:—

Conveyance allowance.

"23A. Every Judge shall be entitled to a conveyance allowance of three hundred rupees per month, subject to the maintenance of a motor car by him.

Sumptuary allowance.

23B. The Chief Justice and each of the other Judges shall be entitled to a sumptuary allowance of five hundred rupees per month and three hundred rupees per month respectively.

Medical facilities for retired Judges.

23C. Every retired Judge shall, with effect from the date on which the Supreme Court Judges (Conditions of Service) Amendment Act, 1976 receives the assent of the President, be entitled, for himself and his family, to the same facilities as respects medical treatment and on the same conditions as a retired officer of the Central Civil Services, Class I and his family, are entitled under any rules and orders of the Central Government for the time being in force.".

Amendment of section 24.

5. In section 24 of the principal Act, for sub-section (*3*), the following sub-section shall be substituted, namely:—

"(*3*) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".

Amendment of the Schedule.

6. In the Schedule to the principal Act,—

(*1*) In Part I, after paragraph 5, the following paragraph shall be inserted, namely:—

'6. In the case of a Judge to whom this Part applies and who has retired on or after the 1st day of October, 1974, the foregoing provisions of this Part shall have effect subject to the modifications that—

(*a*) in paragraph 2,—

(*i*) in clause (*b*),—

(*A*) for the figures "470", the figures "658" shall be substituted;

(*B*) for the figures "1,200", the figures "1,680" shall be substituted;

(*ii*) in the proviso, for the figures "26,000", the figures "36,400" shall be substituted;

(*b*) in paragraph 5, for the figures "7,500", the figures "10,500" shall be substituted.'.

(*2*) In Part II, after paragraph 2, the following paragraph shall be inserted, namely:—

"3. In the case of a Judge to whom this Part applies and who has retired on or after the 1st day of October, 1974, the foregoing provisions of this Part shall have effect subject to the modifications that in paragraph 2,—

(*i*) in clause (*b*), for the figures "1,400", the figures "1,960" shall be substituted;

(*ii*) in the proviso, for the figures "20,000", the figures "28,000" shall be substituted;'.

(3) In Part III, after paragraph 2, the following paragraph shall be inserted, namely:—

'3. In the case of a Judge to whom this Part applies and who has retired on or after the 1st day of October, 1974, the foregoing provisions of this Part shall have effect subject to the modifications that in clause (*b*) of paragraph 2, for the figures "500" and "2,500", the figures "700" and "3,500" shall respectively be substituted.'.

STATEMENT OF OBJECTS AND REASONS

Since the passing of the Supreme Court Judges (Conditions of Service) Act, 1958, there has been no material modification of the conditions of service of Supreme Court Judges. There has been a persistent demand for the improvement of the conditions of service of the Judges of the Supreme Court. Having considered all aspects of the matter, it is proposed to allow them certain ancillary benefits.

2. At present there is no provision for grant of family pension and death-*cum*-retirement gratuity in the case of Judges who are governed by Part I of the Schedule to the Act. It is proposed to extend the facility of family pension on the same lines as is applicable to Class I officers of the Central Government. It is also proposed to give them the facility of death-*cum*-retirement gratuity admissible to Class I officers of the Central Government subject to the modifications that the minimum qualifying service for the purpose of entitlement shall be two years and six months and that the gratuity will be calculated at the rate of twenty days' salary for each completed year of service as a Judge.

3. It is proposed to give to the Judges of the Supreme Court a conveyance allowance at the rate of Rs. 300 per mensem. In addition, the Chief Justice of the Supreme Court is also proposed to be given a sumptuary allowance of Rs. 500 per mensem and the Judges of the Supreme Court a sumptuary allowance of Rs. 300 per mensem.

4. While the maximum pension of Government servants on retirement has been increased on the recommendation of the Third Pay Commission, there has been no increase in the pension of Judges since the commencement of the Constitution. It is proposed to increase the pension of Judges by about 40 per cent. and fix the maximum as Rs. 36,400 per annum in the case of the Chief Justice and Rs. 28,000 per annum in the case of other Judges. The maximum will be reached on completion of 14 years of service. The minimum pension is also proposed to be increased by 40 per cent. from Rs. 7,500 to Rs. 10,500 per annum.

5. It is further considered necessary to give post retirement medical facilities to the same extent as are admissible to retired Central Government servants, Class I.

6. The Bill seeks to amend the Supreme Court Judges (Conditions of Service) Act, 1958, to achieve the above mentioned purposes.

NEW DELHI;
The 4th February, 1976.

H. R. GOKHALE.

FINANCIAL MEMORANDUM

Clause 3 of the Bill makes provision for the grant of family pension to a Judge of the Supreme Court governed by Part I of the Schedule to the Supreme Court Judges (Conditions of Service) Act, 1958 on the same lines as admissible to Class I officers of the Central Government subject to option to be exercised to that effect. In addition, it is proposed to grant them death-*cum*-retirement gratuity benefit as admissible to an officer of Central Civil Service, Class I subject to the modification that the minimum qualifying service for the purpose of entitlement to the gratuity shall be 2-1/2 years and the amount of gratuity shall be calculated on the basis of 20 days' salary for each completed year of service as Judge. In the case of Central Government officers who die in harness, the maximum family pension now admissible is Rs. 500 per month for a period of 7 years from the date of death or up to the date on which the Government servant would have attained the age of sixty-five years had he survived whichever period is less, and thereafter Rs. 250 per month. These officers have to contribute Rs. 5,000 from the gratuity for getting family pension benefits. Similar provision has been made in regard to Judges. The expenditure on this account in respect of Judges of the Supreme Court will be charged on the Consolidated Fund of India. In the case of Judges to whom family pension is payable, it is to be paid whether they die while in service or after retirement. In the very nature of things it is not possible to work out precisely the expenditure on this account. Out of the sanctioned strength of 14 Judges in the Supreme Court, 11 Judges are drawn from the Bar. Assuming that all these 11 Judges opt for the scheme of family pension and that the family pension has been paid after their retirement, the total annual recurring expenditure will be of the order of Rs. 33,000.

2. Death-*cum*-retirement gratuity ts paid by making adjustment of pension equivalent of gratuity in the case of Class I officers. A similar procedure is to be followed in the case of Judges and therefore in the case of death-*cum*-retirement gratuity there will be no extra financial liability on this account.

3. Clause 4 of the Bill seeks to provide for a conveyance allowance to each Judge at the rate of Rs. 300 per month. It also makes a provision of sumptuary allowance of Rs. 500 per month for Chief Justice of India and Rs. 300 per month for each of the other Judges. Recurring expenditure on account of conveyance allowance works out to Rs. 50,400 per annum. Having regard to the retrospective operation from 1-10-74, the expenditure on conveyance allowance during the financial years 1974-75 and 1975-76 will be Rs. 75,600. The recurring expenditure on account of sumptuary allowances to the Chief Justice and other Judges works out to Rs. 52,800. Because of the retrospective operation of this provision, the expenditure on this account during the financial years 1974-75 and 1975-76 will be Rs. 78,200.

4. It is further proposed that every retired Judge with effect from the date on which the present Bill receives the assent of the President will be entitled for himself and his family to the same facilities as respects

medical treatment on the same conditions as retired officers of the Central Civil Service, Class I. At present the retired officers of Central Civil Service, Class I, are entitled to the Central Government Health Scheme (CGHS) facilities, wherever they are available, subject to their contribution. By the very nature of this proposal, it is not possible to estimate the expenditure which would be incurred in regard to these facilities. However, on an average Rs. 200 per family are spent in the CGHS as against a contribution of Rs. 144 per year. Therefore, the net expenditure per family works out to Rs. 56. Assuming that all the 33 retired Supreme Court Judges were to avail of this facility it will amount to a net expenditure of about Rs. 1,850 per annum.

5. Clause 6 of the Bill seeks to enhance the pension of the Judges by about 40 per cent. This benefit being available to all the Judges to whom this Act applies, who have retired on or after 1-10-1974. In all three Judges of the Supreme Court retired since 1-10-1974. Arrears of increase in pension will have to be paid to these Judges from the date of their retirement. This will amount to approximately Rs. 10,600. It is estimated that the increased liability of pension would be approximately Rs. 14,000 per annum. However, it is not possible to accurately estimate the increase in annual expenditure as it will depend upon the number of retired Judges continuing to draw enhanced pension.

6. There will be no other recurring or non-recurring expenditure on account of proposals contained in the Bill.

BILL NO. 35 OF 1976

A Bill to provide for the establishment of a permanent bench of the High Court at Patna at Ranchi.

BE it enacted by Parliament in the Twenty-seventh Year of the Republic of India as follows:—

Short title.

1. This Act may be called the High Court at Patna (Establishment of a Permanent Bench at Ranchi) Act, 1976.

Establishment of a permanent bench of High Court at Patna at Ranchi.

2. There shall be established a permanent bench of the High Court at Patna at Ranchi, and such Judges of the High Court at Patna, being not less than three in number, as the Chief Justice of that High Court may, from time to time, nominate, shall sit at Ranchi in order to exercise the jurisdiction and power for the time being vested in that High Court in respect of cases arising in the districts of Hazaribagh, Giridih, Dhanbad, Ranchi, Palamau and Singhbhum:

Provided that the Chief Justice of that High Court may, in his discretion, order that any case arising in any such district shall be heard at Patna.

STATEMENT OF OBJECTS AND REASONS

A circuit bench of the Patna High Court was established at Ranchi with effect from 6th March, 1972, under clause 36 of the Letters Patent of that High Court. The bench was established to meet the needs of the adivasi population of the Chota Nagpur area in Bihar. The functioning of the circuit bench was causing considerable difficulties besides involving heavy expenditure. As the reasons for the establishment of a bench at Ranchi continue to exist, the Government of Bihar is very keen that the bench should be made permanent. It is, therefore, proposed to set up a permanent bench of the Patna High Court at Ranchi with its territorial jurisdiction extending over the North Chota Nagpur Division comprising of the districts of Hazaribagh, Giridih and Dhanbad and the South Chota Nagpur Division comprising of the districts of Ranchi, Palamau and Singhbhum. The Bill seeks to achieve this object.

NEW DELHI;
The 25th January, 1976.

V. A. SEYID MUHAMMAD.

S. L. SHAKDHER,
Secretary-General.

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